



COPY OF PAPERS
ORIGINALLY FILED

Atty. Docket No. BSC-035CN (1002/58)

PATENT

RECEIVED

MAY 15 2002

3700 MAIL ROOM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Gellman *et al.* CONFIRMATION NO.: 9128
SERIAL NUMBER: 09/579,909 ART UNIT: 3731
FILING DATE: May 26, 2000 EXAMINER: Ho, U.
TITLE: Bone Anchors for Bone Anchor Implantation Device

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to, Non-Fee Amendment, Commissioner for Patents, Washington, DC 20231 on this 24th day of April, 2002.


Diane Racicot

Non-Fee Amendment
Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith are:

1. Transmittal Form (1 pg.);
2. Amendment and Response (5 pgs.);
3. and this return receipt postcard

COPY OF PAPERS
ORIGINALLY FILED

**TRANSMITTAL
FORM**

Application Serial Number	09/579,909
Filing Date	May 26, 2000
First Named Inventor	Gellman
Group Art Unit	3731
Examiner Name	Ho, U.
Attorney Docket No.	BSC-035CN

ENCLOSURES (check all that apply)

- | | | |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Check Attached
<input type="checkbox"/> Copy of Fee Transmittal Form
<input checked="" type="checkbox"/> Amendment and Response
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Form PTO-1449
<input type="checkbox"/> Copies of IDS Citations
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application | <input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553)
<input type="checkbox"/> Formal Drawing(s)
<input type="checkbox"/> Petition Routing Slip (PTO/SB/69)
<input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Copy of Executed Declaration for Utility or Design Patent Application
<input type="checkbox"/> Small Entity Statement
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> After Allowance Communication to Group | <input type="checkbox"/> Appeal Communication to Board of Patent Appeals and Interferences
<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Status Inquiry
<input checked="" type="checkbox"/> Return Receipt Postcard
<input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8
<input type="checkbox"/> Additional Enclosure(s) (please identify below) |
|--|---|--|

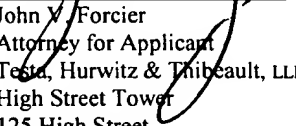
CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110
Tel. No.: (617) 248-7000
Fax No.: (617) 248-7100

SIGNATURE BLOCK

Date: April 24, 2002
Reg. No. 42,545
Tel. No.: (617) 248-7675
Fax No.: (617) 248-7100

Respectfully submitted,


John V. Forcier
Attorney for Applicant
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110

2370608



COPY OF PAPERS
ORIGINALLY FILED

#6/B
J. H. H. H.
6-1-02
PATENT

Atty. Docket No. BSC-035CN (1002/58)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Gellman *et al.* CONFIRMATION NO.: 9128
SERIAL NUMBER: 09/579,909 ART UNIT: 3731
FILING DATE: May 26, 2000 EXAMINER: Ho, U.
TITLE: Bone Anchors for Bone Anchor Implantation Device

RECEIVED
MAY 15 2002
TC 3700 MAIL ROOM

AMENDMENT and RESPONSE

This paper is submitted in response to a pending Office Action, Paper No. 5, mailed from the U.S. Patent and Trademark Office on January 24, 2002. Please make the following changes, without prejudice, and consider the following remarks.

Applicants believe that no fees are due; however, should fees and extensions of time be required for responding, please consider this paper to be a conditional petition for the required extension of time and conditional authorization to charge deposit account number 20-0531.

In the Claims:

Please cancel claim 14, add new claim 16, and amend claims 10-13 and 15 to read as follows. In accordance with 37 C.F.R. § 1.121(c), a marked up version of the claim amendments is attached at the end of this Amendment and Response.

- Sub
C1
- B₁
10. (Amended) A bone anchor for use with a bone anchor implantation device comprising:
a generally cone-shaped head having a wide end, a narrow end, and at least two cutting edges wherein said cutting edges come together to form a pointed tip at the narrow end and the cutting edges of the head are defined by at least one curved surface; and
a collar member coupled to the head.